

BEFORE THE ARKANSAS MOTOR VEHICLE COMMISSION

IN THE MATTER OF

JOHN GOODBRAKE AND MASTERS TRANSPORTATION

HEARING # 09-005

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Arkansas Motor Vehicle Commission (hereinafter the “Commission”) held a hearing on March 18, 2009, to determine whether John Goodbrake and Masters Transportation should be issued a new motor vehicle dealer’s license in accordance with the provisions of the Arkansas Motor Vehicle Commission Act, Ark. Code Ann. § 23-112-101 et seq., and Commission Rule 2 regarding hearings and appeals.

The Respondent, John Goodbrake and Master Transportation, was represented by David Lindsey.

After hearing testimony from David Lindsey and Vicki Wright, License Supervisor, and reviewing documents received in evidence, the Commission makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

- F1. Mr. Goodbrake notified the Commission’s license supervisor, Vicki Wright, on December 19, 2008, of his desire to become a licensed new motor vehicle dealer.
- F2. Mr. Goodbrake sent the Commission photograph’s of his proposed facility. Upon review of these photographs, Mrs. Wright notified Mr. Goodbrake about some concerns the Commission had regarding his facilities and the necessity for a full evidentiary hearing before the Commission.

CONCLUSION OF LAW

Based on the foregoing Findings of Fact, the Commission makes the following Conclusion of Law:

- C1. Master Transportation's request for a new motor vehicle dealer's was found to be inadequate and does not meet the requirements of Ark. Code Ann. §23-112-302 due to improper facilities and business plan not in the public interest.

ORDER

The Commission finds that the request for a new motor vehicle dealer's license is hereby denied. Master Transportation is allowed to submit a new application for license at any time.

This is a final Order of the Commission and as such is subject to judicial review pursuant to Ark. Code Ann. § 25-15-212.

ARKANSAS MOTOR VEHICLE COMMISSION

By _____
F. S. Stroope, Chairman

Date: _____